

TEXAS APPRAISER LICENSING
AND CERTIFICATION BOARD

vs.

JOHN ARENAS JR.
TX-1323843-R (EXPIRED)

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DOCKETED COMPLAINT NO.
12-209

AGREED FINAL ORDER

On the 15th day of February, 2013, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the expired certification of John Arenas (Respondent).

In order to conclude this matter, John Arenas Jr. neither admits nor denies the truth of the Findings of Fact and Conclusions of Law contained herein and further agrees to the disciplinary action set out in this Agreed Final Order. The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

FINDINGS OF FACT

1. Respondent, John Arenas Jr., was a Texas state certified residential real estate appraiser who held certification number TX-1323843-R, and was licensed by the Board during all times material to the above-noted complaint case.
2. Respondent appraised real property located at: 2107 Wilderness Point Drive, Kingwood, Texas 77339 (the "property").
3. Thereafter a complaint was filed with the Board. The complaint alleged that the Respondent produced appraisal report for the property that did not conform to the Uniform Standards of Professional Appraisal Practice (USPAP), TEX. OCC. CODE CHPT. 1103 (the "Act") and 22 TEX. ADMIN. CODE CHPT. 153 and 155 (the "Rules").
4. Thereafter the Board notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations in the complaint. Respondent was also requested to provide certain documentation to the Board.
5. Since the time of this complaint, Respondent's state certification as a real estate appraiser has expired and Respondent no longer desires to hold a license, certification, authorization or registration from the Board. Respondent acknowledges that his state certification has lapsed and he is hereby agreeing not to seek renewal of the certification, nor to apply for any authorization, license, certification or registration with the Board in the future.
6. The parties enter into this consent order ("Order") in accordance with TEX. OCC.

CODE § 1103.458.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103.
2. The parties are authorized to resolve their dispute by means of a consent order, TEX. OCC. CODE § 1103.458.

ORDER

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that Respondent shall not seek renewal of his certification, nor apply to the Board for any authorization, license, certification or registration in the future.

RESPONDENT, BY SIGNING THIS AGREED FINAL ORDER, WAIVES THE RESPONDENT'S RIGHT TO A FORMAL HEARING, ANY MOTION FOR REHEARING, AND ANY RIGHT TO SEEK JUDICIAL REVIEW OF THIS AGREED FINAL ORDER. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published on the Board's web site.

I HAVE READ AND REVIEWED THIS ENTIRE AGREED FINAL ORDER FULLY AND AM ENTERING INTO IT OF MY OWN FREE WILL TO AVOID THE EXPENSE OF LITIGATION AND TO REACH AN EXPEDITIOUS RESOLUTION OF THE MATTER. I NEITHER ADMIT NOR DENY THAT THE FINDINGS OF FACT AND CONCLUSIONS OF LAW CONTAINED HEREIN ARE CORRECT. I UNDERSTAND ALL OF MY COMPLIANCE OBLIGATIONS UNDER THIS AGREED FINAL ORDER AND THE CONSEQUENCES FOR FAILING TO COMPLY WITH THOSE OBLIGATIONS.

I UNDERSTAND THAT THE BOARD AND ITS STAFF CANNOT PROVIDE ME WITH LEGAL ADVICE. I AM AWARE OF MY RIGHT TO A HEARING AND TO BE REPRESENTED BY AN ATTORNEY OF MY OWN CHOOSING, AND HEREBY WAIVE BOTH AND ALSO WAIVE ANY RIGHT TO SEEK JUDICIAL REVIEW OF THIS AGREED FINAL ORDER, INCLUDING FOR ANY SUBSEQUENT ACTION RESULTING FROM MY FAILURE TO TIMELY COMPLY WITH AN ADMINISTRATIVE REQUIREMENT OF THIS AGREED FINAL ORDER, SUCH AS PAYMENT OF A FEE, COMPLETION OF COURSEWORK OR FAILURE TO PROVIDE LOGS.

This agreement may be executed in one or more counterparts, in form of electronic mail, facsimile, or other written expression of agreement, each of which shall be deemed an original and together shall comprise evidence of full execution of the agreement.

THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 4th day of FEB, 2013.


JOHN ARENAS JR.

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 4th day of Feb, 2013, by JOHN ARENAS JR., to certify which, witness my hand and official seal.



Notary Public Signature
Alejandra M Garcia
Notary Public's Printed Name




Signed by the Standards and Enforcement Services Division this 15th day of February, 2013.


Kyle Wolfe, TALCB Staff Attorney

Signed by the Commissioner this 15th day of February, 2013.


Douglas Oldmixon, Commissioner
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 15th day of February, 2013.


Walker Beard
Luis De La Garza, Chairperson
Texas Appraiser Licensing and Certification Board